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February 21, 2023

VIA ECF

Hon. Andre M. Espinosa, USMJ
United States Magistrate Judge
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street Room 2020
Trenton, NJ 08608

Re: Ramirez v. Smart Foods, Inc., et al.
Case No. 2:21-cv-12408-WJM-AME

Dear Judge Espinosa:

As Your Honor is aware, this firm represents Defendants Smart Foods, Inc, and Daniel Munoz (collectively the “Defendants”) in the above-referenced matter. As was discussed during the parties’ February 1, 2023 Case Management Conference, we recently substituted in as counsel of record and are still in the process of gathering documents related to this matter, including any and all documents that were exchanged in discovery thus far. It is our understanding that the fact discovery deadline in this matter was previously set for December 16, 2022. Further, affirmative expert reports were due no later than January 20, 2023, responding expert reports are currently due no later than March 8, 2023, and the current deadline for all expert discovery is April 1, 2023.

In light of our newly entered appearance, and the fact that we are still in the process of obtaining the complete file from Defendants’ former counsel, both the Court and our adversary graciously advised during the parties’ February 1, 2023 Case Management Conference that they would not be opposed to a modest extension of the previous discovery deadlines. In reviewing the documents we were able to retrieve thus far from prior counsel, it appears that there are still a few subpoenas outstanding that were never followed up on, that there are a handful of deficiencies in Plaintiff’s initial discovery responses (which were not admittedly not prepared by Plaintiff’s current counsel),¹ and that we may even need to supplement Defendants’ own discovery responses to some extent.

Against that backdrop, Defendants propose the following revised discovery schedule, which incorporates a modest extension of the current deadlines:

¹ Plaintiff’s reserve the right to oppose any requests regarding potential deficiencies.

The Honorable Andre M. Espinosa

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- Fact Discovery Deadline – April 21, 2023
- Affirmative Expert Reports – May 20, 2023
- Responding Expert Reports – June 20, 2023
- Expert Discovery Deadline – July 20, 2023

Our adversary, Michael Taubenfeld, Esquire, has graciously consented to the foregoing extensions.

I have attached a proposed Order for the Court's review and consideration incorporating the newly proposed discovery dates.

The Court's courtesy and cooperation are much appreciated.

Respectfully submitted,

**GORDON REES SCULLY
MANSUKHANI, LLP**

s/ David Hiester

DAVID HIESTER

cc: All Counsel of Record (via ECF)